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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/785,175

02/24/2004

Bo Hutchinson

NJ 601

8530

7590

07/11/2005

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Ft. Pierce, FL 34946

EXAMINER

DZIERZYNSKI, EVAN P

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/785,175

Applicant(s)

HUTCHINSON, BO

Examiner

Evan Dzierzynski

Art Unit

2875

EPD

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5 and 6 is/are rejected.
- 7) ☒ Claim(s) 1-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## **Non-Final Rejection**

### ***Claim Objections***

Claim 1-6 are objected to because of minor informalities. In claim 1, line 5 a comma is needed after mounting unit. Also, It is unclear as to what "its" in line 9 refers to. Claim 4 is further objected to because a line of claim 4 is missing; the claim does not end with a period. Appropriate correction is required. Claims 2-6 are included in this objection because of dependence on claim 1.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-3, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprauer (US Pat 3,691,3668) as applied to claim 1, and further in view of Skief (US Pat 5,428,520). Sprauer teaches a telescoping utility light mounted external to a vehicle with extending members that are adjusted for attachment at the outward ends of a vehicle (column 1 paragraph 3). Sprauer also teaches a mounting unit which attaches the light system to the vehicle (figure 1 item 10). Item 16 of figure 2 shows a telescoping extension member which reveals item 22 (of figure 3) when it is in its extended position. Sprauer's extension member is connected to a lighting member (fig 2 item 24). Sprauer fails to teach interconnecting extension members that are linked by universal coupling

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devices adapted for movement and light distribution. However, figure 9 item 70 of Skief (US Pat 5428520) displays interconnecting extension members (referred to as tubes by Skief item 62), which are connected to a lighting member (item 76); this comprises a coupling device used for rotational movement in a predetermined direction. Skief fails to teach utility light to be specifically used for a vehicle. However, one of ordinary skill in the art would know to combine the extending members disclosed by Sprauer with a rotational movement device used by Skief because not doing so would make the vehicle utility light less versatile, allowing less peripheral lighting.

As for claim 2, Sprauer discloses a mounting unit (fig 1 item 10) which is adapted for detachable mounting from the vehicle when the utility light is in collapsed form.

In regards to claim 3, Skief discloses lighting system composed of coupling devices (fig 1 items 36,44) referred to as hinge tubes by Skief, which secure the lighting device parallel to the base member (fig 2 item 12).

In regards to claim 4, as best understood because of claim being incomplete, Skief discloses friction brackets on the extending member (see item 68).

As for claim 5, Sprauer discloses a light with interconnecting extension members (fig 2 item 16 and 22) connected to a light (fig 2 item 24) that projects additional lights for driving.

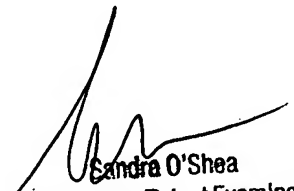
In regards to claim 6, Skief discloses a lighting system in with three universal coupling devices, (figure 1 items 22, 32, and 44) referred to as hinges, which provide further positioning for the lighting member. Applicant is claiming a device with two hinges, which is not an improvement upon what Skief discloses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan Dzierzynski whose telephone number is 571-272-2336. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Evan Dzierzynski



Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800